

**REMARKS**

Receipt of the Office Action of February 26, 2009 is gratefully acknowledged.

Claims 7 - 12 have been re-examined and finally rejected as follows: claims 7 - 10 and 12 under 35 USC 103(a) over Cheng et al in view of newly cited Glanzer et al; and claim 11 under 35 USC 103(a) over Cheng et al in view of newly cited Glanzer et al and Aaker et al

These rejections are respectfully traversed.

Regarding Cheng et al it fails to disclose the features of claim 7 as was re-examined. Cheng et al is, without any doubt, active in a technology field far removed from the field of process automation technology where sensors/actors are controlled by a remote control. Therefore, the examiner's statement that Cheng et al only fails to show the feature 'that the device description describes the functionality of the corresponding field device in a standardized language' is incorrect. If this feature is missing all other features referring to device description are also necessarily missing in Cheng et al.

The newly cited Glanzer et al patent refers to a block oriented control system that allows interoperability between devices made by different manufacturers. A block oriented control system is a system which includes a plurality of field devices incorporating a physical layer, a communication stack, and a user layer, with the field devices being connected by a transmission medium, such as a bus. The physical layer receives signals from the bus and translates the signals into a message for the communications stack, and receives messages from the communications stack and translates the messages into signals for the bus. The communication stack controls the communications between devices operating in the control system. The user layer is a block oriented approach to the system's control functions, and includes function blocks

and system management. The function blocks are standardized encapsulations of control functions, such as analog input or proportional/derivative. The system management allows synchronization of the device applications and the network processing. Glanzer et al. provides no hint in the direction to ensure the download of actual device descriptions from a central server.

The Aakers et al patent is also not appropriate to lead the skilled person to the present invention. Aaker et al. refers to a method and system for replacing terminals, linked in a client server relationship with a central server, interacting with hardware specific programs within the central server, and wherein each terminal is identified by hardware specific programs within said central server via specific hardware attributes, and where the specific hardware attributes include at least a port identification and an I/O processor identification associated with the port identification. The method and system achieve the foregoing via the following. A processor is substituted for a selected terminal. Particular hardware attributes of the selected terminal are identified. The identified particular hardware attributes of the selected terminal are emulated using communications software. And, the processor is coupled to the central server via the communications software such that the processor interacts with hardware specific programs within the central server such that the substituted processor interacts with the hardware specific programs in a fashion indistinguishable from the selected terminal.

Claim 7 has been amended formally only, so that entry of this amendment should create no problem. Claim 7 as previously amended defines over each reference individually and in the proposed combinations. The proposed combinations fail because the teaching provided by these references fail as noted above. For example, the storing and running step defined in claim 7 is not, it is respectfully submitted, met by the disclosure in paragraph 37 of Cheng et al as suggested by the examiner. How does this passage of Cheng et al teach storing and running an application program in a control unit for a field device? How does a bridging device (Cheng et al) which couples an IP network to one or more non-IP networks relate to a control unit for field

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devices? The connection is not evident. Is the examiner suggesting that the devices 150, 160, 170 and 180 are even analogous to field devices? They are not. The examiner is painting with too broad a brush in applying Cheng et al in this way.

Reconsideration is respectfully requested and claim 7 as further amended entered and claims 7 - 12 allowed.

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Respectfully submitted,  
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A handwritten signature in black ink, appearing to read 'Felix J. D'Ambrosio', written over the printed name.

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